

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	
PETER RAFAEL DZIBINSKI	)	Case No. 1:20-cr-193-CMH
DEBBINS,	)	
a/k/a "Ikar Lesnikov,"	)	
	)	
Defendant.	)	

**SEALING ORDER**

This matter having come before the Court on the Government's Motion to Seal pursuant to Local Criminal Rule 49(E) and for good cause shown, the Court finds:

1. The government seeks to file under seal an unredacted version of its Response to Defendant's Memorandum in Aid of Sentencing (hereinafter, "Government's Response Brief"). The Government's Response Brief discusses information from two filings that the Court recently sealed at the request of the defense because they contain confidential health information of the defendant.
2. Sealing the Government's Response Brief is necessary to protect the confidential health information of the defendant.
3. This Court has the inherent power to seal materials submitted to it. *See Nixon v. Warner Commc'ns Inc.*, 435 U.S. 589, 598 (1978) ("It is uncontested, however, that the right to inspect and copy judicial records is not absolute. Every court has supervisory power over its own records and files, and access has been denied where court files might have become a vehicle for improper purposes."); *In re Sealed Affidavit(s) to Search Warrants Executed on February 14,*

1979, 600 F.2d 1256, 1257 (9th Cir. 1979) (recognizing that “the courts have inherent power, as an incident of their constitutional function, to control papers filed with the courts within certain constitutional and other limitations”). “The trial court has supervisory power over its own records and may, in its discretion, seal documents if the public’s right of access is outweighed by competing interests.” *In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984).

4. The government requests that the Government’s Response Brief be sealed until unsealed by order of the Court.

For the foregoing reasons it is hereby:

ORDERED that the government’s Motion to Seal is GRANTED, and it is

FURTHER ORDERED that the Government’s Response Brief filed with the Court on May 11, 2021, shall be maintained under seal and will remain under seal until unsealed by order of the Court, and it is

FURTHER ORDERED that the Clerk provide a copy of this Order to counsel of record.

ENTERED this 12<sup>th</sup> day of May, 2021.

  
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THE HONORABLE CLAUDE M. HILTON  
UNITED STATES DISTRICT JUDGE